

**IN THE UNITED STATES DISTRICT COURT FOR THE  
EASTERN DISTRICT OF PENNSYLVANIA**

WILLIAMSBURG COMMONS	:	
CONDOMINIUM ASSOCIATION,	:	
Plaintiff	:	CIVIL ACTION
	:	
v.	:	NO. 12-511
	:	
STATE FARM FIRE AND CASUALTY	:	
COMPANY,	:	
Defendant.	:	

**ORDER**

**AND NOW**, this \_13th\_ day of November 2012, Defendant's First Motion to Dismiss for Failure to state a Claim in First Amended Complaint (ECF No. 16) is **GRANTED in part** and **DENIED in part** as follows:

State Farm's motion to strike Count IV for unjust enrichment is **DENIED**;

State Farm's motion to dismiss Count III for misrepresentation is **GRANTED**;

State Farm's motion to dismiss Plaintiff's prayer for relief for punitive damages and motion to strike references to "willful" and "wanton" conduct are **GRANTED**; and

State Farm's motion to dismiss claims for "other" and "further" relief is **DENIED**.

s/Anita B. Brody

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ANITA B. BRODY, J.

Copies VIA ECF on \_\_\_\_\_ to:

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